

**As Passed by the House**

**131st General Assembly**

**Regular Session**

**2015-2016**

**Sub. H. B. No. 124**

**Representatives Johnson, T., Huffman**

**Cosponsors: Representatives Grossman, Blessing, Gonzales, Antonio, Barnes, Bishoff, Brown, Lepore-Hagan, Sears, Boyd, Clyde, Craig, Driehaus, Fedor, Gerberry, Green, Hackett, Howse, Johnson, G., Kuhns, O'Brien, M., O'Brien, S., Patterson, Phillips, Ramos, Reece, Rogers, Sheehy, Stinziano, Strahorn, Sweeney, Sykes**

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**A BILL**

To enact sections 4723.489, 4729.282, 4730.432, and 1  
4731.93 of the Revised Code regarding the 2  
authority to prescribe or personally furnish 3  
without examination a drug for a sexual partner 4  
of a patient diagnosed with chlamydia, 5  
gonorrhea, or trichomoniasis. 6

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 4723.489, 4729.282, 4730.432, and 7  
4731.93 of the Revised Code be enacted to read as follows: 8

**Sec. 4723.489.** (A) (1) Notwithstanding any conflicting 9  
provision of the Revised Code or rule adopted by the board of 10  
nursing or state board of pharmacy, a clinical nurse specialist, 11  
certified nurse-midwife, or certified nurse practitioner who 12  
holds a certificate to prescribe issued under section 4723.48 of 13  
the Revised Code may issue a prescription for or personally 14  
furnish a complete or partial supply of a drug to treat 15  
chlamydia, gonorrhea, or trichomoniasis, without having examined 16

the individual for whom the drug is intended, if all of the 17  
following conditions are met: 18

(a) The individual is a sexual partner of the nurse's 19  
patient. 20

(b) The patient has been diagnosed with chlamydia, 21  
gonorrhea, or trichomoniasis. 22

(c) The patient reports to the nurse that the individual 23  
is unable or unlikely to be evaluated or treated by a health 24  
professional. 25

(2) A prescription issued under this section shall include 26  
the individual's name and address, if known. If the nurse is 27  
unable to obtain the individual's name and address, the 28  
prescription shall include the patient's name and address and 29  
the words "expedited partner therapy" or the letters "EPT." 30

(3) A nurse may prescribe or personally furnish a drug 31  
under this section for not more than a total of two individuals 32  
who are sexual partners of the nurse's patient. 33

(B) For each drug prescribed or personally furnished under 34  
this section, the nurse shall do all of the following: 35

(1) Provide the patient with information concerning the 36  
drug for the purpose of sharing the information with the 37  
individual, including directions for use of the drug and any 38  
side effects, adverse reactions, or known contraindications 39  
associated with the drug; 40

(2) Recommend to the patient that the individual seek 41  
treatment from a health professional; 42

(3) Document all of the following in the patient's record: 43

(a) The name of the drug prescribed or furnished and its dosage; 44  
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(b) That information concerning the drug was provided to the patient for the purpose of sharing the information with the individual; 46  
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(c) If known, any adverse reactions the individual experiences from treatment with the drug. 49  
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(C) A nurse who prescribes or personally furnishes a drug under this section may contact the individual for whom the drug is intended. 51  
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(1) If the nurse contacts the individual, the nurse shall do all of the following: 54  
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(a) Inform the individual that the individual may have been exposed to chlamydia, gonorrhoea, or trichomoniasis; 56  
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(b) Encourage the individual to seek treatment from a health professional; 58  
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(c) Explain the treatment options available to the individual, including treatment with a prescription drug, directions for use of the drug, and any side effects, adverse reactions, or known contraindications associated with the drug; 60  
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(d) Document in the patient's record that the nurse contacted the individual. 64  
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(2) If the nurse does not contact the individual, the nurse shall document that fact in the patient's record. 66  
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(D) A nurse who in good faith prescribes or personally furnishes a drug under this section is not liable for or subject to any of the following: 68  
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<u>(1) Damages in any civil action;</u>	71
<u>(2) Prosecution in any criminal proceeding;</u>	72
<u>(3) Professional disciplinary action.</u>	73
<u>Sec. 4729.282. (A) Notwithstanding any conflicting</u>	74
<u>provision of the Revised Code or rule adopted by the state board</u>	75
<u>of pharmacy, a pharmacist may do both of the following with</u>	76
<u>respect to a prescription issued under section 4723.489,</u>	77
<u>4730.432, or 4731.93 of the Revised Code:</u>	78
<u>(1) Dispense a drug pursuant to the prescription;</u>	79
<u>(2) Label a drug dispensed pursuant to the prescription</u>	80
<u>without the name of the individual for whom the drug is intended</u>	81
<u>if the prescription contains the words "expedited partner</u>	82
<u>therapy" or the letters "EPT."</u>	83
<u>(B) For each drug dispensed under this section, the</u>	84
<u>pharmacist shall provide all of the following information:</u>	85
<u>(1) Directions for use of the drug;</u>	86
<u>(2) Any side effects, adverse reactions, or known</u>	87
<u>contraindications associated with the drug.</u>	88
<u>(C) A pharmacist who in good faith dispenses a drug under</u>	89
<u>this section is not liable for or subject to any of the</u>	90
<u>following:</u>	91
<u>(1) Damages in any civil action;</u>	92
<u>(2) Prosecution in any criminal proceeding;</u>	93
<u>(3) Professional disciplinary action.</u>	94
<u>(D) This section does not affect the authority of a</u>	95
<u>pharmacist to distribute information concerning a drug as</u>	96

required by federal law. 97

**Sec. 4730.432.** (A) (1) Notwithstanding any conflicting 98  
provision of the Revised Code or rule adopted by the state 99  
medical board or state board of pharmacy, a physician assistant 100  
who holds a certificate to prescribe issued under section 101  
4730.44 of the Revised Code may issue a prescription for or 102  
personally furnish a complete or partial supply of a drug to 103  
treat chlamydia, gonorrhea, or trichomoniasis without having 104  
examined the individual for whom the drug is intended, if all of 105  
the following conditions are met: 106

(a) The individual is a sexual partner of the physician 107  
assistant's patient. 108

(b) The patient has been diagnosed with chlamydia, 109  
gonorrhea, or trichomoniasis. 110

(c) The patient reports to the physician assistant that 111  
the individual is unable or unlikely to be evaluated or treated 112  
by a health professional. 113

(2) A prescription issued under this section shall include 114  
the individual's name and address, if known. If the physician 115  
assistant is unable to obtain the individual's name and address, 116  
the prescription shall include the patient's name and address 117  
and the words "expedited partner therapy" or the letters "EPT." 118

(3) A physician assistant may prescribe or personally 119  
furnish a drug under this section for not more than a total of 120  
two individuals who are sexual partners of the physician 121  
assistant's patient. 122

(B) For each drug prescribed or personally furnished under 123  
this section, the physician assistant shall do all of the 124  
following: 125

(1) Provide the patient with information concerning the drug for the purpose of sharing the information with the individual, including directions for use of the drug and any side effects, adverse reactions, or known contraindications associated with the drug; 126  
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(2) Recommend to the patient that the individual seek treatment from a health professional; 131  
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(3) Document all of the following in the patient's record: 133

(a) The name of the drug prescribed or furnished and its dosage; 134  
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(b) That information concerning the drug was provided to the patient for the purpose of sharing the information with the individual; 136  
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(c) If known, any adverse reactions the individual experiences from treatment with the drug. 139  
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(C) A physician assistant who prescribes or personally furnishes a drug under this section may contact the individual for whom the drug is intended. 141  
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(1) If the physician assistant contacts the individual, the physician assistant shall do all of the following: 144  
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(a) Inform the individual that the individual may have been exposed to chlamydia, gonorrhea, or trichomoniasis; 146  
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(b) Encourage the individual to seek treatment from a health professional; 148  
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(c) Explain the treatment options available to the individual, including treatment with a prescription drug, directions for use of the drug, and any side effects, adverse 150  
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reactions, or known contraindications associated with the drug; 153

(d) Document in the patient's record that the physician  
assistant contacted the individual. 154  
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(2) If the physician assistant does not contact the  
individual, the physician assistant shall document that fact in  
the patient's record. 156  
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(D) A physician assistant who in good faith prescribes or  
personally furnishes a drug under this section is not liable for  
or subject to any of the following: 159  
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(1) Damages in any civil action; 162

(2) Prosecution in any criminal proceeding; 163

(3) Professional disciplinary action. 164

**Sec. 4731.93.** (A) As used in this section, "physician"  
means an individual authorized under this chapter to practice  
medicine and surgery or osteopathic medicine and surgery. 165  
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(B) (1) Notwithstanding any conflicting provision of the  
Revised Code or rule adopted by the state medical board or state  
board of pharmacy, a physician may issue a prescription for or  
personally furnish a complete or partial supply of a drug to  
treat chlamydia, gonorrhea, or trichomoniasis, without having  
examined the individual for whom the drug is intended, if all of  
the following conditions are met: 168  
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(a) The individual is a sexual partner of the physician's  
patient. 175  
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(b) The patient has been diagnosed with chlamydia,  
gonorrhea, or trichomoniasis. 177  
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(c) The patient reports to the physician that the 179

individual is unable or unlikely to be evaluated or treated by a 180  
health professional. 181

(2) A prescription issued under this section shall include 182  
the individual's name and address, if known. If the physician is 183  
unable to obtain the individual's name and address, the 184  
prescription shall include the patient's name and address and 185  
the words "expedited partner therapy" or the letters "EPT." 186

(3) A physician may prescribe or personally furnish a drug 187  
under this section for not more than a total of two individuals 188  
who are sexual partners of the physician's patient. 189

(C) For each drug prescribed or personally furnished under 190  
this section, the physician shall do all of the following: 191

(1) Provide the patient with information concerning the 192  
drug for the purpose of sharing the information with the 193  
individual, including directions for use of the drug and any 194  
side effects, adverse reactions, or known contraindications 195  
associated with the drug; 196

(2) Recommend to the patient that the individual seek 197  
treatment from a health professional; 198

(3) Document all of the following in the patient's record: 199

(a) The name of the drug prescribed or furnished and its 200  
dosage; 201

(b) That information concerning the drug was provided to 202  
the patient for the purpose of sharing the information with the 203  
individual; 204

(c) If known, any adverse reactions the individual 205  
experiences from treatment with the drug. 206

(D) A physician who prescribes or personally furnishes a drug under this section may contact the individual for whom the drug is intended. 207  
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(1) If the physician contacts the individual, the physician shall do all of the following: 210  
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(a) Inform the individual that the individual may have been exposed to chlamydia, gonorrhea, or trichomoniasis; 212  
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(b) Encourage the individual to seek treatment from a health professional; 214  
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(c) Explain the treatment options available to the individual, including treatment with a prescription drug, directions for use of the drug, and any side effects, adverse reactions, or known contraindications associated with the drug; 216  
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(d) Document in the patient's record that the physician contacted the individual. 220  
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(2) If the physician does not contact the individual, the physician shall document that fact in the patient's record. 222  
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(E) A physician who in good faith prescribes or personally furnishes a drug under this section is not liable for or subject to any of the following: 224  
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(1) Damages in any civil action; 227

(2) Prosecution in any criminal proceeding; 228

(3) Professional disciplinary action. 229